

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DONALD CAPERS	:	CIVIL ACTION
vs.	:	
JEROME WALSH, et al.	:	NO. 12-CV-4780

ORDER

AND NOW, this 17th day of January, 2013, upon careful and independent consideration of the petition for writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice and the Petitioner's objections thereto, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The petition for a writ of habeas corpus is DENIED with prejudice;
3. The request for an evidentiary hearing is DENIED;
4. There is no probable cause to issue a certificate of appealability; and
5. The Clerk of Court shall mark this case closed for statistical purposes.

BY THE COURT:

s/J. Curtis Joyner
J. CURTIS JOYNER, C.J.